

AUG 20 2012

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

CLARK, U.S. DISTRICT COURT  
By [Signature]

By [Signature] Deputy

# SEALED

**3-12CV3026-L**



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**3-12CV3026-L**

\$2,379,476.00 Debt balance

The judgment debtor's full name is Charles Edward Key, Jr., his social security number is \*\*\*-\*\*-2495,<sup>1</sup> and last known address is USP Leavenworth, Register No. 33445-077, PO Box 1000, Leavenworth, KS 66048. Not less than 30 days has elapsed since demand on the debtor for payment of the debt was made, and Key has not paid the amount due. The name and address of the garnishee and its authorized agent is:

Ignite Holdings, Ltd. and its affiliates, successors, or assigns  
Darrin Pfannenstiel, Registered Agent  
1950 N. Stemmons Freeway, Suite 3000-C  
Dallas, TX 75207

The United States believes the garnishee and its affiliates, successors, or assigns has possession, custody, or control of substantial nonexempt property belonging to or due Key and/or his spouse, including but not limited to nonexempt disposable earnings. Earnings include wages, salary, commissions, bonuses, and periodic payments from a pension or retirement program. *See* 28 U.S.C. § 3002(6). Disposable earnings are that part of earnings remaining after all deductions required by law have been withheld, such as federal income, Social Security, and Medicare taxes. *See* 28 U.S.C. § 3002(5).

To enforce a judgment, the United States may garnish 25% of nonexempt disposable earnings or the excess of nonexempt disposable earnings over 30 times the

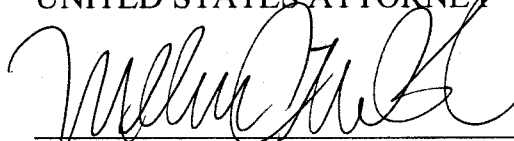
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<sup>1</sup>Pursuant to the Privacy Act, 5 U.S.C. § 552a and the E-Government Act of 2002, Pub. L. 107-347, the social security number has been redacted to the last four digits to prevent public disclosure. Upon request of the court, the full social security number will be provided *in camera*.

federal minimum hourly wage, whichever is less. *See* 15 U.S.C. § 1673; 28 U.S.C. § 3002(9).

Respectfully submitted,

SARAH R. SALDAÑA  
UNITED STATES ATTORNEY

A handwritten signature in cursive script, appearing to read 'Melissa Childs', written over a horizontal line.

MELISSA A. CHILDS  
Assistant United States Attorney  
Illinois Bar No. 6273797  
1100 Commerce Street  
Third Floor  
Dallas, TX 75242  
Telephone: 214.659.8600  
Facsimile: 214.659.8807  
Melissa.Childs@usdoj.gov

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

**V.**

CHARLES EDWARD KEY, JR.,

Defendant,

and

IGNITE HOLDINGS, LTD.,

Garnishee.



















# SEALED

**3 - 1 2 C V 3 0 2 6. - L**  
No.

## WRIT OF GARNISHMENT

To: Ignite Holdings, Ltd. and its affiliates, successors, or assigns  
Darrin Pfannenstiel, Registered Agent  
1950 N. Stemmons Freeway, Suite 3000-C  
Dallas, TX 75207

An Application for Writ of Garnishment seeking property belonging to or due Defendant Charles Edward Key, Jr. (Key), who is a judgment debtor of the United States of America (United States), and/or his spouse, Stephanie Holley, was filed with this Court.

Computation of the debt as of August 14, 2012 is:

\$2,379,576.00	Judgment amount
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(\$ 100.00) Credits applied to judgment

\$2,379,476.00 Debt balance

Pending further order of this Court, you shall withhold and retain all property, including disposable earnings, in which Key and/or his spouse has a substantial nonexempt interest and for which you are or may become indebted to Key and/or his spouse. *See* 28 U.S.C. § 3205(c)(2)(F). Do not deliver the property to the United States District Clerk at this time. Instead, withhold and retain the property until the Court orders its distribution. *Id.*

You are required by law to file an answer within ten days of your receipt of this writ advising the Court whether you hold or will hold substantial nonexempt property for Key and/or his spouse, and mail or deliver the original answer to the United States District Clerk, 1100 Commerce Street, Room 1452, Dallas TX 75242; and mail copies to Charles Edward Key, Jr., USP Leavenworth, Register No. 33445-077, PO Box 1000, Leavenworth, KS 66048; Stephanie Holley, 7416 Park Place Drive, North Richland Hills, TX 76182, and Melissa A. Childs, Assistant United States Attorney, 1100 Commerce Street, Third Floor, Dallas, TX 75242. *See* 28 U.S.C. § 3205(c). Additional information is included in the attached Plaintiff's Instructions to Garnishee.

If you fail to answer this writ or withhold property in accordance with this writ, the United States may petition this Court for an order requiring you to appear before this Court to answer this writ and withhold property before the appearance date. *See* 28 U.S.C. § 3205(c)(6). If you fail to answer, or appear and fail to show good cause why

you failed to comply with this writ, the Court shall enter a judgment against you for the value of the substantial nonexempt property, including disposable earnings. *Id.* The Court may award a reasonable attorney's fee to the United States and against you if this writ is not answered by the time specified by law and a petition is filed requiring you to appear. *Id.*

Under 15 U.S.C. § 1674, you are prohibited from discharging Key and/or his spouse from employment by reason of the fact that earnings are subject to garnishment. If you discharge Key and/or his spouse as a result of this garnishment, penalties may result.

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

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UNITED STATES DISTRICT CLERK  
NORTHERN DISTRICT OF TEXAS

Document # 100-441111-103  
**ORIGINAL**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

CHARLES EDWARD KEY, JR.,

Defendant,

and

IGNITE HOLDINGS, LTD.,

Garnishee.



















# SEALED

**3 - 1 2 C V 3 0 2 6. - L**  
No.

**CLERK'S NOTICE OF POST-JUDGMENT GARNISHMENT TO DEFENDANT**

You are notified, pursuant to 28 U.S.C. § 3202, that your property is being sought by the United States of America (United States), which holds a judgment against you dated April 12, 2012 in criminal case number 3:11-CR-324-01.

Computation of the debt as of August 14, 2012 is:

\$2,379,576.00	Judgment amount
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(\$ 100.00) Credits applied to judgment

\$2,379,476.00	Debt balance
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Exemptions may protect the property from being taken by the United States if you can show exemptions apply. *See* 18 U.S.C. § 3613. The attached Claim for Exemptions,

Request for Hearing, and/or Request for Transfer contains a summary of the major exemptions that apply.

You have a right to ask the Court to return your property if you think that you do not owe the debt to the government, or if you think the property the government seeks qualifies under an exemption(s).

If you want a hearing, you must notify the Court within 20 days after you receive this notice. Your request must be in writing, and you may use the attached form to request the hearing. You must mail or deliver the original to the United States District Clerk, 1100 Commerce Street, Room 1452, Dallas, TX 75242. You must also mail a copy to Melissa A. Childs, Assistant United States Attorney, 1100 Commerce Street, Third Floor, Dallas, TX 75242, so the government will know you want a hearing.

If you are entitled to a hearing, the hearing will take place within five days after the United States District Clerk receives your request, if you ask for it to take place that quickly, or as soon after that as possible. The Court will issue an order advising you of the time, place, and date of any hearing scheduled.

At the hearing, you may explain to the judge why you believe the property the government seeks is exempt or why you think you do not owe the debt to the government. If you do not request a hearing, your property may be delivered to the United States and applied to the debt you owe.

If you think you live outside the federal judicial district where this Court is located,



you may request, not later than 20 days after you receive this notice, that this proceeding be transferred by this Court to the federal judicial district where you reside. You must make your request in writing, and mail or deliver the original to the United States District Clerk, 1100 Commerce Street, Room 1452, Dallas, TX 75242. You must also mail a copy of the request to Melissa A. Childs, Assistant United States Attorney, 1100 Commerce Street, Third Floor, Dallas TX 75242, so the government will know you want the proceeding to be transferred. You may use the attached form to request a transfer.

Be sure to keep a copy of this notice for your records. If you have any questions about your rights or this procedure, you should contact a lawyer, an office of public legal assistance, or the United States District Clerk. The United States District Clerk is not permitted to give legal advice, but may refer you to other sources of information.

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UNITED STATES DISTRICT CLERK  
NORTHERN DISTRICT OF TEXAS

Date \_\_\_\_\_

**IGNITE**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARLES EDWARD KEY, JR.,

Defendant,

and

IGNITE HOLDINGS, LTD.,

Garnishee.

**SEALED**

**3 - 1 2 C V 3 0 2 6 - L**  
No. 1 2 C V 3 0 2 6 - L

**CLAIM FOR EXEMPTIONS, REQUEST FOR HEARING,  
AND/OR REQUEST FOR TRANSFER**

To complete this form, check the adjacent space(s) to an exemption(s) you are claiming, check the box below to request a hearing, and/or check the box below to request a transfer to another federal judicial district. You must mail or deliver the original of this form to the United States District Clerk and mail a copy to the United States of America, as explained in the attached Clerk's Notice of Post-Judgment Garnishment to Defendant. See 28 U.S.C. § 3202(b).

\_\_\_ Wearing apparel and school books. 26 U.S.C. § 6334(a)(1).

\_\_\_ Fuel, provisions, furniture, and personal effects that do not exceed \$8,570.  
26 U.S.C. § 6334(a)(2) & (g).

- \_\_\_ Books and tools of a trade, business, or profession that do not exceed \$4,290. 26 U.S.C. § 6334(a)(3) & (g).
- \_\_\_ Unemployment benefits. 26 U.S.C. § 6334(a)(4).
- \_\_\_ Undelivered mail. 26 U.S.C. § 6334(a)(5).
- \_\_\_ Certain annuity and pension payments.--Annuity or pension payments under the Railroad Retirement Act, benefits under the Railroad Unemployment Insurance Act, special pension payments received by a person whose name has been entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll, and annuities based on retired or retainer pay. 26 U.S.C. § 6334(a)(6).
- \_\_\_ Workmen's compensation. 26 U.S.C. § 6334(a)(7).
- \_\_\_ Judgments for support of minor children, pursuant to a court judgment entered prior to the date of levy, to contribute to the support of defendant's minor children. 26 U.S.C. § 6334(a)(8).
- \_\_\_ Certain service-connected disability payments. 26 U.S.C. § 6334(a)(10).
- \_\_\_ Assistance under Job Training Partnership Act. 26 U.S.C. § 6334(a)(12).

- ☐ I am requesting a hearing for the exemptions checked above.
- ☐ I am not requesting a hearing for the exemptions checked above.
- ☐ I am requesting a transfer to the federal district where I reside in the

\_\_\_\_\_ (district) of \_\_\_\_\_ (state).

\_\_\_\_\_  
Charles Edward Key, Jr.

Address: \_\_\_\_\_

\_\_\_\_\_  
Daytime Telephone: \_\_\_\_\_

Date: \_\_\_\_\_

**I. (a) PLAINTIFFS**

United States of America

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)  
Melissa A. Childs, AUSA 214.659.8600  
1100 Commerce Street, Third Floor, Dallas, TX 75242-1699

**DEFENDANTS**

Charles Edward Key, Jr.

County of Residence of First Listed Defendant Leavenworth, KY (BOP)  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE  
LAND INVOLVED.

Attorneys (If Known)

**3-12CV3026-L****II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

**V. ORIGIN**

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. 3205—Garnishment

Brief description of cause:

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

**DEMAND \$** 2,379,476.00

CHECK YES only if demanded in complaint:

**JURY DEMAND:** ☐ Yes ☒ No**VIII. RELATED CASE(S)** (See instructions)**PENDING OR CLOSED:**JUDGE Reed O'ConnorDOCKET NUMBER 3:11-cr-324-01DATE 8/20/12 SIGNATURE OF ATTORNEY OF RECORD [Signature]

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_